

**Notice of Allowability**

Application No.

10/705,862

Examiner

Debra Wolfe

Applicant(s)

AOSHIMA ET AL.

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 10-12 and 16-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other

  
**DERRIS H. BANKS**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700



## NOTICE OF ALLOWABILITY

### *Reasons for Allowance*

The following is an examiner's statement of reasons for allowance.

1. It is the opinion of the examiner that the art of record (considered as a whole) neither anticipates nor renders obvious a cushion pin having a pillar member comprising of "a bolt member attached to a first member; a sliding member disposed between a head of the bolt member and an end face of the first member; and a second member attached to an opposite end of the sliding member relative to the first member, wherein the first member, the bolt member, the sliding member and the second member are coaxially aligned, and wherein the elastic member is disposed around said bolt member and in said sliding member" in combination with the rest of the claimed limitations set forth in claims 10, 16 and 19. Therefore, it is concluded that claims 10 and 16-21 of the present invention are allowable subject matter over the prior art.

Further searching by the examiner yielded additional prior art as follows:

2. Wallis (U.S. Patent # 5,197,718) discloses a gas spring (10) having a pillar member (15) and an elastic member (spring 33) that is coaxially aligned with the pillar member (15). A cylindrical body (11) is provided wherein the pillar member (rod 15) extends upwardly into the cylindrical body (11).

Heurteboust (EP Patent # 614711 A1) discloses a press machine (10) having a cushion pin (15) interposed between a work (1) and a die cushion (11), comprising a pillar member (12b) and an elastic material (spring 16) that is arranged coaxially with respect to the pillar member (12b) and produces a pushing force in an axial direction of the pillar member (12b).



3. However the above cited prior art fails to disclose a bolt member, a first member and a second member that are all coaxially aligned. Therefore, it is concluded that claims 10 and 16-21 of the present invention are allowable subject matter over the prior art. Claims 10-12 and 16-21 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra Wolfe whose telephone number is (571) 272-1904. The examiner can normally be reached Monday - Thursday 7am - 4:30pm with alternating Friday 7am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached at (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Application/Control Number: 10/705,862  
Art Unit: 3725

Page 4

Debra Wolfe  
Examiner  
Art Unit 3725

A handwritten signature in black ink, appearing to read "Derris H. Banks", is written over a horizontal line.

**DERRIS H. BANKS**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3700**